

Maine Warden Service sets the record straight on “North Woods Lawless” allegations.

The Maine Warden Service has been working diligently for the last two days in an effort to properly respond to the many inaccuracies contained within a Portland Press Herald story regarding our undercover operation in Allagash in 2014. We were informed today that the Portland Press Herald will not publish our response. Here it is in its entirety.

The story’s headline—“North Woods Lawless”—was correct because in that small isolated area of northern Aroostook County, a lawless attitude toward game laws by a small group of the town’s citizens had prevailed for many years.

That casual disregard was described in the story as “... a hit against our way of life.” that supposedly precipitated the undercover action by the Warden Service. It is well known that within sympathetic, tight-knit communities there is an unwillingness to speak out against one another. Special investigations are often the only means for acquiring evidence necessary for enforcement action. The sentiment of many in Allagash was that this lawlessness had been going on unanswered for far too long and resulted in complaints.

As a result of the investigation, 17 people were convicted of more than 75 crimes and violations that are detailed below. Suspects in this case paid over \$39,000 in fines, spent a total of nearly 180 days in jail and had 80 years’ worth of license revocations handed down to those convicted. Thirty-three game wardens were used while serving five search warrants and one arrest warrant in Allagash. The investigation focused on three primary suspects and 15 other associates. Over the course of two years, 31 days were spent by the game warden investigator in contact with the primary suspects. The investigation ultimately moved its way through Maine’s judicial process, including the Maine Supreme Court just last month, which upheld the convictions previously adjudged by the jury of Aroostook County citizens.

Selecting an undercover case

There are a number of criteria that are considered prior to moving forward with an investigation of this nature. The first is whether or not the suspects of the investigation are inclined on their own to violate fish and game laws. The primary defendants in this case did have prior serious fish and wildlife violations—contrary to the statements used by the story’s author claiming that Carter McBreairty had “... no previous convictions.”

In addition, game wardens in the area had received numerous complaints about ongoing illegal hunting activity by the defendants, heavy drinking, violent tempers and attempts to try to intimidate local law enforcement. The complaints of ongoing poaching demonstrate that traditional patrol techniques were not successful in curtailing the illegal behavior. Soon after the warden investigator made contact with each of the defendants, they quickly confirmed their continued tendency to violate the law. The seriousness of the violations, coupled with the defendants’ criminal history and continued intent to violate, resulted in the investigation being authorized.

Release of documents

The story leads the reader to believe that the Maine Warden Service only produced a 16-page document and 35 emails in response to the author's request. In reality, the Department has produced over 232 documents, for which the Portland Press Herald and their attorneys have paid.

Additionally, while attempting to accommodate the Freedom of Access Act request initiated by Colin Woodard, he filed a complaint with the Office of the Attorney General, which compelled the Warden Service to direct communications through attorneys. The Office of the Attorney General determined the Maine Warden Service was compliant with Maine's Freedom of Access Act. The Maine Warden Service continues to work with the Attorney General's Office to guide the release of records requested.

The Warden Service routinely processes requests for information through cooperative communication with the public to ensure the correct records are produced. Woodard resisted staff attempts to clarify the scope of his request, which would have reduced staff time and costs incurred by the requester. The Warden Service even dedicated time to create summary documents—which is not required under FOAA—in an attempt to expedite the request and make the process more efficient for Woodard.

“... SWAT-style raid...”

Woodard's story asserts the Maine Warden Service used SWAT teams and tactics when conducting the operation in Allagash. Additionally, the story alleged the operation was embellished for purposes of the “North Woods Law” camera crews who were present. He is wrong. There were no SWAT teams or tactics used in the investigation, and no part of the investigation was embellished. This can be seen clearly in the episode of “North Woods Law,” which was titled “Throttle Out” and aired June 19, 2014.

The operation in the town of Allagash included serving five search warrants at separate residences as well as an arrest warrant signed by the Honorable Justice Hunter. Occupants of an additional three residences were identified as needing interview follow-ups. For operational logistics and officer safety, four to five game wardens were present at each search warrant, including one supervisor, one warden assigned to collect evidence, one warden assigned to interview, one warden conducting the search and one safety warden. Additionally, two wardens were typically sent to each of the residences with occupants who required follow-up interviews. One warden for each of these critical roles at a search warrant is well within a reasonable number of officers for such an operation.

On the evening of serving the warrants, one “North Woods Law” camera crew of five was used and divided into two small groups to cover more than one location. As per protocol for the camera crews, they never entered any of the houses and did their filming from the street, gathering video mostly of wardens carrying evidence from the residences.

Undocumented “... meal of onions and venison...”

The story described one of the defendants feeding the warden "... onions and venison, for which he would later be charged with possession of undocumented meat." The deer was in fact described to the warden by the defendant as being a 140-pound doe which he had killed prior to the open deer season—an "early bird special" as described by Jess McBreairty. Additionally, McBreairty killed the doe in a wildlife management district that has been closed to the taking of antlerless deer for the past several years. This was further indication that the defendants were making a significant negative impact on local game populations.

"... entrapment..."

Woodard attempted to convey to readers that the game warden in this investigation acted outside the law. The author used expressions such as: "...persuaded," "... entrapment," "... entice," and "... padding evidence." He implied that these techniques were used in an effort to tempt defendants to commit crimes that they otherwise would not have committed. The game warden was also accused of frequently being intoxicated and was "... providing alcohol to suspects to entice them to commit crimes." None of these unsubstantiated accusations are true.

At no time did the warden in this investigation entrap, persuade, entice or tempt any defendants to commit a crime. The defendants in this investigation had strong, controlling personalities and often commented how they wanted to teach the game warden the "Allagash way." The warden took a passive role while hunting with the group and followed their lead and instructions. During this investigation, the game warden often attempted to limit and at times stop a defendant from killing moose and other wildlife.

On numerous occasions, Reid Caron attempted to convince the game warden to kill multiple moose and deer. On one occasion, the game warden stopped Caron from attempting to kill both a cow and a calf moose. On another occasion, Caron tried to night hunt a federally protected Lynx; the game warden prevented this by scaring the Lynx into the woods with his vehicle. Those found guilty as a result of this investigation killed five illegal deer, one moose and wounded one additional moose without the undercover warden being present.

The game warden did shoot one male deer with Reid Caron. This was after Reid Caron shot and wounded two deer at night on Halloween 2013 and after Caron had shot at numerous deer at night. Caron insisted the game warden shoot and laid out the rules for the game warden to do the shooting. Defendants often challenge the warden once they realize they [defendants] have been committing all the violations.

By not following the defendant and killing an animal, the game warden would jeopardize his safety and the entire case. The deer which the game warden shot was one of two wounded deer that Caron shot five nights prior. The actions of the game warden were in compliance with policy and law. In some cases, officers are challenged and tested by suspects. Failure to follow their direction or demands will jeopardize the officer's safety and identity with the suspect(s).

Past documented occasions during similar investigations have lead game wardens to be threatened with their lives. Reid Caron had previously shot and wounded two deer at night and shot at other numerous deer at night. The game warden was successful in those instances and avoided killing an animal. The circumstance in this case of a deer being shot by the game warden was the result of Reid Caron ordering the game warden to shoot a deer. The game warden complied to protect his undercover status and quite possibly his life.

Providing/Consuming Alcohol

The warden in this case put himself in situations where he could document as many violations as possible, while at the same time trying to minimize his participation in the illegal activities. However, in order to “fit in” with this group of excessive drinkers, the game warden did consume minimal amounts of alcohol and used several techniques to appear or pretend he was consuming alcohol. At no time during this investigation was the game warden intoxicated while in character.

The customary practice for this group was to buy and bring large amounts of alcohol to camp or while out hunting. The game warden followed that pattern and brought his own alcohol. The game warden did not provide his alcohol to the suspects in this investigation. On one occasion only, in October of 2012, Jess McBairty specifically asked the game warden for one (1) beer purchased by the game warden. They were working outdoors on a tractor while McBairty smoked a marijuana cigarette and were not engaged in hunting activities.

“... providing the man with the gun, ammunition, vehicle, and spotlight...”

Over many years of participating in covert operations, the Warden Service has seen time and again defendants who would rather use other individuals’ firearms and vehicles in the event they are caught. It is common knowledge among suspects, especially those such as Jess McBairty and Reid Caron who have been convicted of past offenses involving mandatory jail time and loss of firearms, to know the potential to lose valuable equipment. Of the 15 defendants in the case, all used their own firearms and associated equipment at some point to commit fish and wildlife crimes.

Reid Caron, an educated violator

During several incidents of night hunting with Reid Caron, he told the game warden he is more careful and has learned from getting caught in the past. Caron stated numerous times, after finding rifle shells, that he must spend time looking for evidence left behind of his illegal night hunting activity. Caron often commented to the warden that this is why he will never get caught again. It should also be noted the illegal activity continued even when the game warden was not in the area, and they used their own firearms and equipment to commit crimes.

Fact vs. Fiction - Reid Caron

Here are the facts about Reid Caron, who was described in a February 5 story as being “in dire straits and needed the food” back in 2008 when both he and Jess McBairty killed a moose at night. When Caron committed that crime, he was employed as an Allagash Wilderness Waterway Ranger ([see story here](#)) and both he and McBairty were convicted; Caron for night hunting and McBairty for Hunting

Moose in Closed Season and Shooting from a Motor Vehicle. Caron resigned from his position as a waterway ranger shortly thereafter. See [full BDN story here](#).

Contrary to the Portland Press Herald's story, McBreaity and Caron—whom Woodard portrayed as being in “dire straits and needed the food”—subsequently left the moose, which they poached at night, to rot.

Hope Kelly's allegations that “I thought it was a home invasion.”

Contrary to Hope Kelly's (Reid Caron's mother) statement that “eight or 10 men came into her house unannounced,” game wardens who entered Hope Kelly's residence both knocked and announced their presence and immediately notified Hope Kelly that they were there to execute a search warrant. There were not 8 to 10 wardens that arrived at her residence, as Woodard reported. There was 1 game warden sergeant and 3 game wardens. One additional game warden arrived later to take custody of Reid Caron and to interview him.

The warrant was audio taped and was in the hands of Woodard. However, he chose to mislead readers and relay Hope Kelly's account instead. As soon as the residence was secured, Hope Kelly sat down at her own table, was shown the search warrant and was interviewed about to her involvement in the investigation.

The canned vegetables

During the course of the search warrant, a number of canned vegetables were seized inadvertently, a mistake that wardens made. The vegetables were in canning jars that were identical to and packaged with the illegal moose meat. Immediately upon being informed by Rep. John Martin that some non-evidentiary items were seized from her residence, we promptly returned the items. At the time they were returned, Ms. Kelly signed for the return of the property. That receipt is available to view. At no point did the Warden Service seize peaches.

In addition to the illegal canned moose meat, which was erroneously described by the author as “meat never proven to be illicit,” illegal moose and illegal deer parts were also seized from Ms. Kelly's residence. As for any remaining canned evidence not being returned to Ms. Kelly, all other canned evidence was determined to be contraband and was forfeited upon adjudication.

“... scant results.”

These are the words that Woodard emphasized in his effort to play down the poaching of Maine's wildlife. This group was found guilty of committing the following and paid nearly \$40,000 dollars in fines.

Reid Caron (37) of Allagash, previously under revocation, but had been reinstated in 2010, received 364 days in jail, all but 90 days suspended. Caron paid \$21,200 in fines and lost his hunting license privileges for 44 years. He was found guilty of:

Nine (9) counts of Night Hunting

Three (3) counts of Hunting Under the Influence
Five (5) counts of Closed Season Hunting of Deer and Moose
Four (4) counts of Exceeding Limit on Deer
Four (4) counts of Illegally Hunting Antlerless Deer
Two (2) counts of Possession of Night Hunted Moose and Deer
One count of Guiding w/out a License
One count of Hunting Moose w/out a Permit
One count of Possession of Unregistered Deer
One count of Over Limit of Grouse
Seven (7) counts of Shooting from/Loaded Firearm in a Motor Vehicle

Carter McBreairty (59) of Allagash received 364 days in jail with all but 30 days suspended and 60 days of 24-hour home confinement. Carter was ordered to pay fines of \$8,550; he surrendered three (3) firearms; and his hunting license privileges in Maine will be suspended for 24 years.

Carter was found guilty of:

Three (3) counts of Hunting Under the Influence
Three (3) counts of Exceeding Bag Limit on Deer
Three (3) counts of Loaded Firearm in a Vehicle
Night Hunting
Failure to Register a Deer
Over the Limit of Brook Trout
Two (2) counts of Theft of Services

Jess M. McBreairty (51) of Allagash, who was already under revocation for a previous night hunting case, received 50 days in the Aroostook County Jail, paid \$3,000 in fines and lost his hunting license privileges for 12 years. Jess McBreairty was found guilty of:

Loaded Firearm in a Motor Vehicle
Hunting w/out a license
Exceeding Bag Limit on Deer
Hunting Under Revocation
Illegal Possession of an Antlerless Deer
Possession of a Deer in Closed Season
Violation of Condition of Bail

Fourteen (14) additional defendants in connection with this case from the towns of Allagash, Winterport (ME), Palermo (ME), Derry (NH), Chester (NH), St. Francis (ME) and Fort Kent (ME) were found guilty of 17 additional violations, including Possession of Firearm by a Felon, Furnishing a Place for Minors to Drink, Illegal Possession of Moose Shot from a Motor Vehicle, Hunting w/out a License, Furnishing a Schedule Z Drug, and Illegal Possession of Grouse. Those fines totaled \$7,250.

The fact remains that all those involved plead guilty or were convicted by a jury of their peers for breaking the law. Some even went so far as to appeal all the way to the Supreme Court, which upheld their convictions and the merits of the case were affirmed 7-0 by Maine's highest arbiters of justice.

We know the Portland Press Herald story leaves some with questions regarding the investigative process used by the Warden Service. We firmly believe that effective special investigations remain an essential part of our 136-year mission to fairly enforce the laws protecting Maine's invaluable fish and wildlife resources. This has been an investigative unit that "[exemplifies our very best work](#)".

Maine people and those who are connected to our state deserved to hear the truth. We appreciate being able to set the record straight.

Very respectfully submitted,
Corporal John MacDonald
Spokesperson - Maine Warden Service